08-01789-cgm Doc 1235-1 Filed 01/06/10 Entered 01/06/10 13:57:47 Exhibit A: Customer Claim Pg 1 of 18

EXHIBIT A

08-01789-cgm				/10 13:57:47 Exhibit A:
_		Customer Claim	Pg 2 of 18	Bernard L. Madoff Investment Securities LLC
				Case No 08-01789-BRL
				U.S. Bankruptcy Court for the Southern District of New York Claim Number: 014153
		CUST	OMER CLAIM	014100
				Claim Number
				Date Received
	BERNA	ARD L. MADOFF	INVESTMENT S	ECURITIES LLC IN FIN
		In	Liquidation	
			Eldaraárion	JUL 0 1 2009
		DECE	MBER 11, 2008	luu D
(Please pri	nt or type)			Ву
Name of C	ustomer: <u>AXA</u>	Private Manageme	ent (indirect custon	ner) (please see
Addendum	A attached here	with)		
——————————————————————————————————————		evard du Souverain		
Account No		ium S	tate: N/A	Zip: <u>N/A</u>
		ocial Security No.):	. N/A	
- m-p-my - m -				
! ! !	SHOULD BE IN PROTECTION IN RECEIVED BY RECEIVED AFT SUBJECT TO IN LESS FAVORA	FILED FOR EACH AFFORDED UNDE THE TRUSTEE FER THAT DATE, DELAYED PROCE	H ACCOUNT AN ER SIPA, ALL C ON OR BEFO BUT ON OR BE SSING AND TO IMANT. PLEASE	A SEPARATE CLAIM FORM ND, TO RECEIVE THE FULL USTOMER CLAIMS MUST BE RE March 4, 2009. CLAIMS FORE July 2, 2009, WILL BE BEING SATISFIED ON TERMS SEND YOUR CLAIM FORM BY D.
*******	*********	*******	******	*****
Claim for n	noney balance	s as of December	11, 2008:	
a.	The Broker	owes me a Credit	(Cr.) Balance of	[Please see Addendum A]
b.	I owe the Br	oker a Debit (Dr.)	Balance of	\$
c.	If you wish t	o repay the Debit	Balance,	
	please inse	rt the amount you	wish to repay an	d
	attach a che	eck payable to "Irv	ing H. Picard. Es	sa
		Bernard L. Madoff	-	• •
		o make a paymen	it, it must be end	ciosea
•	with this cla	im form.		\$
d.	If balance is	zero, insert "None	∍."	

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

		YES	NO
a.	The Broker owes me securities	X (please see Addendum A)	·
b.	I owe the Broker securities		
C.	If yes to either, please list below:	(please see Addendum A)	
	Amount of Claim: 11,708,321 Euros (equiv US\$14,745,459.46, please see Addendum	alent to	

		Number of Sha	ares or
		<u>Face Amount</u>	of Bonds
_		The	I Owe
Date of		Broker	the
Transaction		Owes Me	Broker
(trade date)	Name of Security	(Long)	(Short)

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

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NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

		YES	NO
3.	Has there been any change in your account since December 11, 2008? If so, please explain.	·	<u>x</u>
4.	Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?		<u>X</u>
5.	Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?		<u>x</u>
6.	Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s).		<u>x</u>
7.	Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.		<u>X</u>
8.	Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	(Please see	Adden(lij m A)
9.	Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.		<u>x_</u>
	Please list the full name and address of anyone assisting you in the preparation of this claim form: Fred Reinke, Dewey & LeBoeuf, LLP, 1101 New York Avenue, N.W., Washington, DC 20005 (tel. (202) 346-8061)		

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date	Signature_		
Date	Signature	1000	JBERTIN

(If ownership of the account is snared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Flease supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2:00 McKinney Ave., Suite 800
Dallas, TX 75201

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date <u>sac. aff</u>	Signature	
Date	Signature	

(if ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Addendum A

Bernard L. Madoff Investment Securities LLC, In Liquidation

Customer Claim Dated June 30, 2009 of AXA Private Management (submitted on its own behalf and on behalf of certain customers of AXA Private Management)

AXA Private Management ("AXA PM") is making a claim (the "Claim") on its own behalf and on behalf of certain customers of AXA PM (the "AXA PM Customers"). AXA PM and the AXA PM Customers were indirect customers of Bernard L. Madoff Investment Securities LLC (the "Broker"). AXA PM on behalf of the AXA PM Customers invested in Fairfield Sigma Limited, Romasco Place, Wickhams Cay, Road Town, Tortola, British Virgin Islands, VG 1110. Fairfield Sigma in turn invested in Fairfield Sentry Limited, Romasco Place, Wickhams Cay, Road Town, Tortola, British Virgin Islands, VG 1110. Fairfield Sigma in turn invested in the Broker. Fairfield Sigma — and the Broker and Fairfield Sentry, indirectly through Fairfield Sigma — had discretionary authority to execute securities transactions on behalf of AXA PM and its customers.

AXA PM believes that the Broker owes AXA PM and the AXA PM Customers, indirectly through Fairfield Sigma, securities with a value of 11,708,321 Euros as of November 30, 2008, and that AXA PM (for itself and on behalf of its customers) therefore has a claim for securities held by the Broker with a value of 11,708,321 Euros. (Based on a Euro/USD exchange rate published in the Wall Street Journal on December 1, 2008 (the first business day after November 30, 2008), and effective on that date, 11,708,321 million Euros was equivalent to US\$14,745,459.46).) AXA PM does not yet have access to information concerning which securities the Broker indirectly held for AXA PM (and its customers) and now owes AXA PM (and its customers), but AXA PM will submit such information if and when AXA PM obtains it.

AXA PM, on behalf of its customers, made an initial investment in Fairfield Sigma in the amount of 500,000 Euros on July 1, 2005, and made further investments in Fairfield Sigma in the amount of 9,757,644 Euros during the period July 1, 2005 through November 30, 2008. As of November 30, 2008, 59,543.6854 shares of Fairfield Sigma were held by or on behalf of the AXA PM Customers, on behalf of whom AXA PM had purchased the shares. The value of these shares, as reported by Fairfield Sigma as of November 30, 2008, was 11,708,321 Euros. We do not believe that there is any material difference between that value and the value of the shares as of December 11, 2008. As of December 11, 2008, the AXA PM Customers on whose behalf AXA PM is submitting this Claim had never redeemed any shares of Fairfield Sigma, and had not received any payments from Fairfield Sigma.

AXA Bank Europe has held for account of the AXA PM Customers, since prior to November 30, 2008, 59,436.5750 shares of Fairfield Sigma purchased by AXA PM on behalf of its customers. AXA Bank Europe is holding these shares in its account with

Leleux Associated Brokers ("Leleux"). Attached as Exhibit A is a letter from AXA Bank Europe, dated March 9, 2009, confirming the foregoing.

Leleux has held, since prior to November 30, 2008, 59,543.6854 shares of Fairfield Sigma purchased by AXA PM (on behalf of its customers). Attached as Exhibit B is a letter in the French language from Leleux, dated March 6, 2009, confirming the foregoing. Attached as Exhibit C is a certified English translation of the March 6, 2009 letter. The shares held by Leleux consist of (i) the 59,436.5750 shares purchased by AXA PM referred to in the November 30, 2008 letter of AXA Bank Europe attached as Exhibit A, and (ii) an additional 107.1104 shares of Fairfield Sigma purchased by AXA PM on behalf of several of its former customers.

The letters from AXA Bank Europe and Leleux Associated Brokers attached as Exhibits A, B, & C hereto constitute proof that as of December 11, 2008, AXA PM on behalf of its customers held 59,543.6854 shares of Fairfield Sigma. As noted above, the value of these shares, as reported by Fairfield Sigma as of November 30, 2008, was 11,708,321 Euros, and we do not believe that there is any material difference between that value and the value of the shares as of December 11, 2008. (We also do not believe that there was a significant difference in the value of the shares thereafter. For example, attached as Exhibit D is a document showing the value of the shares to be 11,595,388.4411 Euros, as of January 9, 2009. Based on a Euro/USD exchange rate published in the Wall Street Journal on January 9, 2009, and effective on that date, 11,595,388.4411 million Euros was equivalent to US\$15,573,766.21.)

באנווטוני

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AXA BANK EUROPE S.A. OPERA FIONS Brusselstran 45 B-2018 Antwerpen BELGR M Tel : (03) 247 79 37 AXA Private Management S.A. Vorstlaan 25

1170 BRUSSEL

Onze ref. MK/la -- P02/497

Pax 1 (03) 347 79 70

Antwerp March 9th 2009

Subject: Deposits of shares of the Fairfield Sigma Fund ISIN Code VGG3299V1085

The undersigned financial institution, AXA BANK EUROPE, formerly named AXA BANK BELGIUM, hereby certifies that she holds, on the present day and since a date prior to November 30th 2008, for account of various clients duly represented by AXA PRIVATE MANAGEMENT S.A., a total deposit of 59,436.5750 shares of the FAIRFIELD SIGMA FUND with ISIN code VGG3299V1085.

AXA BANK EUROPE is holding these shares in her account with LELEUX ASSOCIATED BROKERS, together with shares belonging to other of her clients not represented by AXA PRIVATE MANAGEMENT.

AXA BANK EUROPE S.A

Marc KNAEPKENS Director Investments

Philippe EYBEN

Member of the Executive Committee

Exhibit 6



LELEUX ASSOCIATED BROKERS

SOCIETE DE BOURSE BEURSVENNOOTSCHAP

AXA Bank Europe S.A. Siège social Boulevard du Souverain 25 1170 Bruxelles

Bruxelles, le 6 Mars 2009

Concerne: Position de AXA Bank Europe dans les livres de Leleux Associated Brokers au 05/03/2009 - Fonds Fairfield Sigma ISIN VGG3299V1085.

Par la présente.

Leleux Associated Brokers confirme détenir en ses livres, pour le compte de AXA Bank Europe. 59.543.6854 parts (einquante-neuf mille einq cent quarante-trois parts et six mille huit cent cinquante-quatre dix millièmes) au 5/03/2009 du Fond Fairfield Sigma ISIN VGG3299V1085 et ce depuis une date antérieure au 30/11/2008.

Leleux Associated Brokers détient elle-même ces parts auprès de :

Euroclear Banque (Fundsettle) 1 Boulevard du Roi Albert II B - 1210 Brussels Account : 12539 Registration Name : FS/LAB/AXA PM

qui les détient elle-même auprès de :

Citco Fund Services B.V Naritaweg 165 - 1043 BW Amsterdam. Account ID: 08730621

Fait à Bruxelles, le 06/03/2009

Administrateur Leleux Associated Brokers

Exhibit C

LELEUX ASSOCIATED BROKERS SOCIÉTÉ DE BOURSE BEURSVENNOOTSCHAP

> AXA Bank Europe S.A. Registered office Boulevard du Souverain 25 1170 Brussels

Brussels, 6 March 2009

Re: Position of AXA Bank Europe in the books of Leleux Associated Brokers on 05/03/2009 - Fairfield Sigma ISIN VGG3299V1085 Fund.

With the present statement,

Leleux Associated Brokers hereby confirms that, on the date of on 5/03/2009, it has 59,543,6854 shares (fifty-nine thousand five hundred and forty-three shares and six thousand eight hundred and fifty-four ten-thousandths) of the Fairfield Sigma Fund ISIN VGG3299V1085 Fund on its books in the name of AXA Bank Europe, since a date earlier than 30/11/2008.

Leleux Associated Brokers itself holds these shares with:

Euroclear Banque (Fundsettle) 1 Boulevard du Roi Albert II B – 1210 Brussels Account: 12539 Registration name: FS/LAB/AXA PM

Which in turn holds said shares with:

Citco Fund Services B.V. Naritaweg 165 – 1043 BW Amsterdam Account ID: 08730621

Drawn up in Brussels, 06/03/2009

Vincent Renwart Leleux Associated Brokers Director

True and certified translation from French into English - Gentbrugge, 12 March 2009

Jacques Sabbe, Kluisstraat 7 9050 Gentbrugge, Belgium

Charles of the

Sworn NL/F/G > English translator & interpreter Court of the First Instance Ghent - Belgium

> Stage Social – Maatschappelijke Zetel – Registered Office Rue du Bois Sauvage 17 Wildewoudstraat Bruxelles 1000 Brussei Tel: +32 2 250 12 11 * Fav: +32 2 250 12 10

Siège Administratif - Administratieve Zetel - Administrative Seat Rue de la Station 101 8 7060 Solgnies Tel: + 32 67 28 18 11 ° Fax: +32 67 28 18 10

Internet: - E-mail:

Registered with the National Bank of Belgium as 100-0083539-56 N.B.B. * Brussels Company Register 644.661 * VAT BE 426,120.604

Exhibit D

Value in Per portfolio currency

Shares 59,543,685400 194.737500 11,595,388.44 11,595,388.44 11

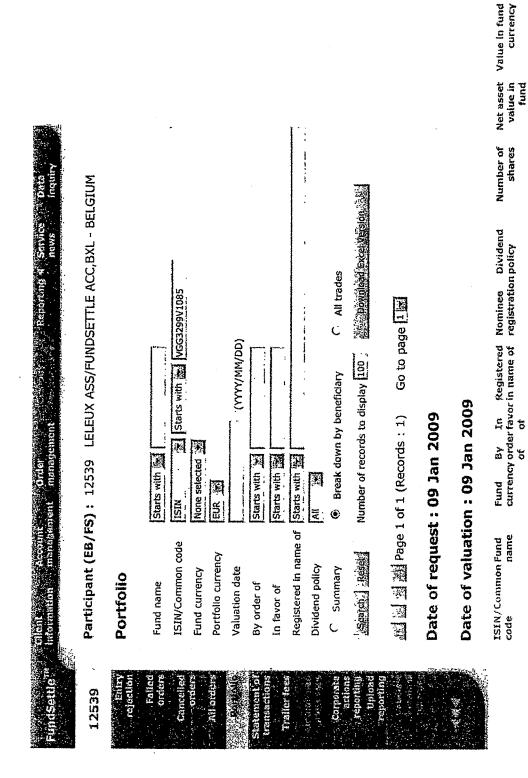
FS/LAB/AXA No PM

VGG3299V1085 FAIRFIELD EUR SIGMA A

currency

FundSettle - Participant 12539 - Portfolio report

Page 1 of 2



https://fundsettle.euroclearonline.com/Participant_Report/7000_Participant_Portfolio.asp

Pa2 of

Total value in EU11,55

Cash value by fund currency

FundSettle - Participant 12539 - Portfolio report

EUR 11,595,388.44 100.00%

[[] [[]] [[] Page 1 of 1 (Records: 1)

Go to page 1

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Print proview

https://fundsettle.euroclearonline.com/Participant_Report/7000_Participant_Portfolio.asp

